

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|---------------------------|---|------------------|
| _____ |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| v. |) | CRIMINAL ACTION |
| |) | NO. 04-40027-FDS |
| ROBERT A. FAFARD, |) | |
| Defendant, |) | |
| _____ |) | |

STATUS REPORT
July 12, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Mr. Fafard's counsel has decided not to file substantive motions until he has had an opportunity to review discovery produced by the Government. Therefore, Mr. Fafard has requested additional time to complete that review. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on July 27, 2005, at 9:45 a.m., in Courtroom 16, Fifth Floor, John Joseph Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts.

3. Excludable Time

With the assent of counsel for the parties, I have excluded from the Speedy Trial Act, the period from June 24, 2005 (date of expiration of prior order of excludable time) through July 27, 2005 (date by which Mr. Fafard's review of discovery shall be completed). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, October 5, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE